

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

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|--------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| VS. | § | CRIMINAL ACTION NO. 2:14-CR-00423-2 |
| | § | |
| OMAR PIZANO | § | |

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(); and

(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against the defendant is substantial. The Defendant admitted he intended to receive methamphetamine from a body carrier who delivered the drugs to him in Florida. The findings and conclusions contained in the Pretrial Services Report and addendum (but not the recommendation for bond) are adopted. The Defendant is facing a ten-year minimum mandatory sentence. He has ties to gangs in the Florida area and is addicted to marihuana. He has failed to appear for court in the past and has failed to comply with conditions of probation in the past. He has frequent border crossings and

has close relatives living in Mexico. He was also recently stopped with over \$56,000 in cash in his possession, yet he denied knowing he was carrying it. The Defendant lied to Pretrial Services about his crossings from Mexico into the United States in January and February of this year. He is a poor bond candidate.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 24th day of June, 2014.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE